

MANDATE

S.D.N.Y. – N.Y.C.
18-cv-3698
Schofield, J.
Gorenstein, M.J.

United States Court of Appeals

FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 26th day of October, two thousand twenty-one.

Present:

John M. Walker, Jr.,
Robert D. Sack,
Susan L. Carney,
Circuit Judges.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: Nov 16 2021

Towaki Komatsu,

Plaintiff-Appellant,

v.

21-1491

City of New York, et al.,

Defendants-Appellees,

Joe Baccellieri, in his official capacity as Chief of the
New York State United Court System's Court Officers
Academy, et al.,

Defendants.

Appellant, pro se, appeals the district court's order at E.D.N.Y. 18-cv-3698, doc. 595. Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED as frivolous because Appellant's appeal "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also Pa. Pub. Sch. Emps.' Ret. Sys. v. Morgan Stanley & Co.*, 772 F.3d 111, 122 (2d Cir. 2014).

We note that this Court has previously warned Appellant that the continued filing of appeals from non-final orders could result in the imposition of a leave-to-file sanction and has ordered Appellant to show cause as to why a leave-to-file sanction should not be imposed. 2d Cir. 21-75, doc. 106 (Or.); 2d Cir. 21-511, doc. 73 (Or.).

FOR THE COURT:

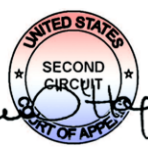
Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



MANDATE ISSUED ON 11/16/2021